

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

MANETIRONY CLERVRAIN, ET.AL.,

Petitioner,

v.

J.B. PRITZER, ET.AL.,

Respondent.

Case No. 20-CIV-477-RAW

ORDER

Petitioner filed a Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 [Doc. 1] stating that he was detained by ICE (Immigration and Customs Enforcement) at the Moore Detention Center located in Okmulgee, Oklahoma. Petitioner also filed a motion to proceed *in forma pauperis* [Doc. 2].

As Judge Dowdell from the Northern District of Oklahoma noted in an earlier incarnation of this case, a §2241 petition may be dismissed if it plainly appears that the petitioner is not entitled to relief in the district court. *Clervrain v. Nejen*, 2020 WL 2104934, *1 (N.D.Okla.2020). As he did, this court finds that the motion does not comply with Rules 8(a)(1) and 8(a)(2) F.R.Cv.P., and Rule 2(c) of the habeas rules. *Id.* Petitioner also does not comply with Rule 10 F.R.Cv.P. For example, Rule 10(a) requires the naming of all parties. The petition provides the name “Manetirony Clervrain, et. al.” but provides no other petitioners. The petition names the respondent, “J.B. Pritzer, et. al.” but names no other respondents. J.B. Pritzer is the Governor of Illinois and is not a proper respondent. *See Rumsfeld v. Padilla*, 542 U.S. 426, 447 (2004).

“Since entering the federal prison system in 2011, Mr. Clervrain has filed more than thirty

cases in various federal courts across the country.” *Clervrain v. Revell*, 2018 WL 5281366, 1 (D.Kan.2018). Clervrain also appears to have filed the same incomprehensible pleading naming random current and former governmental officials in many courts across the county. *Clervrain v. Marin*, 2020 WL 5408581, *2 (S.D.Calif.2020). “In short, this Court, like those in essentially every other federal jurisdiction in which Clervrain has filed, finds it simply unable to determine what causes of action are being alleged against the named Defendant or what relief is being sought.” *Id.* at *3.

Mr. Clervrain has recently filed with the court a Notice of Change of Address [Doc. 7] indicating that he is no longer in custody and is residing in Anderson, Indiana. Accordingly, any 28 U.S.C. § 2241 petition is rendered moot, where the relief Petitioner requests is no longer available and cannot be redressed by a favorable judicial decision. *Riley v. INS*, 310 F.3d 1253, 1257 (10th Cir. 2002). Further, venue for a §2241 petition lies in the district where the prisoner is confined. *See Wyatt v. United States*, 574 F.3d 455, 459-60 (7th Cir. 2009).

For the reasons stated, it is the order of the court that this action is dismissed without prejudice and the Motion for Leave to Proceed *in forma pauperis* [Doc. 2] and the Motion for Change of Venue and Clear and Convincing Evidence or the Victim of Crimes by the Various Federal Agencies or Apartheid [Doc. 8] are deemed moot.

ORDERED THIS 27th day of September, 2021.



HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA